

5
THE 14

LIFE AND CONFESSION

OF

JOHN E. LOVERING,

CONVICTED, APRIL, 1861, FOR THE

MURDER OF HENRY AUKER,

IN

JUNIATA COUNTY, PA., ON MARCH 9, 1861,

AND

Executed on the 3d of January, 1862.

READER, this is a true history of my life and crimes, as far back as I can remember. Although I may seem to some to be embittered against my partners in guilt, yet such is not the case. I have told but the simple naked truth, and have extenuated naught nor set down aught in malice. I leave this world at peace with all mankind, and rely alone upon the mercy of my Redeemer for pardon in the next. I have led a bad life and been guilty of many sins; but I trust that when I leave this world they will be forgotten. My sad fate I attribute wholly to my evil associations, and the lack of proper training and example when a boy. I trust that my fate will be a warning to every one who reads these sad pages. In the hope that such may be the case, and that when I leave this weary world I may be received into a happier and better, I bid you all a sad farewell.

JOHN E. LOVERING.

CONFESSION.

I WAS born in Womelsdorf, Berks County, Pennsylvania, on Saturday, May 5, 1836. My father never set before me a good example, for he led a dissolute and dissipated life, and spent his earnings in the purchase of that accursed fiend—*rum*. When under the influence of intoxicating liquor he would attempt to take my life, and upon one occasion endeavored to shoot me, and consequently I had to keep myself concealed for about one week. Under such circumstances I did not dare to let myself be seen, or my place of concealment be known to him. In several instances I had to escape for my life.

In 1853 my health was very poor, and I had some severe attacks of illness. My mind was much affected, and I thought deeply upon my soul's eternal interests. I was converted from the "power of sin and Satan unto the living God," and connected myself with the United Brethren's Church, and joined the Salem Class. But I failed to live up to my privileges, neglected my duties, and hence fell from the service of my Saviour; and I found, by sad experience, that my last stage was worse than the first, for I keenly felt that I was farther from God than I had ever been before.

In the fall of 1854 I was taken down with a fever, during the ravages of which I lost my mind. As reason again began to resume her seat, I troubled myself all the more about my dereliction of that duty which was due, and which I had solemnly covenanted my Maker to perform. I experienced all the horrors of the "lashings of a guilty conscience."

In 1855 a step-daughter of Jacob Hoppel charged me with being the father of a child with which she was then pregnant. I was not the father of this child, and this she well knew, for I never had anything to do with her outside of what is respectable and decent. I never in my life made a practice of running after women of "easy virtue" or bad repute, and in this respect I am blameless. My mind was totally averse to having illegitimate children scattered over the country. I was heartily ashamed of the charge, for this was the third or fourth child

she had had. I became alarmed at the possibility that she could make me pay for it. Under my fears I forged an order, put John Koontz's name to it, and collected of Christopher Tyson eleven dollars and sixty-two cents, harvest money due Koontz by the former. Mr. Tyson always took me for an honest man, for whom I had worked two hayings and harvests. He gave me Koontz's wages without a word or doubt as to the genuineness of the order. The order was written with a black lead pencil. After I had received the money I immediately left Juniata County and went to Harrisburg. The next day I journeyed to Coal Spring, Lebanon County, and remained there from Sunday until Monday; and from thence went to Reading. My father subsequently paid the money back and got the matter settled with Tyson.

While I lived in Reading I got into very bad company, and soon learned to drink and gamble. I was frequently drunk, and necessarily often in a "muss." I left Reading and went to Robesney, Berks County, and there it was not much better. From thence I went to Philadelphia, in company with one John Watkins. Here I followed my old vocation of gambling the most part of my time, for we had no work; and money we had to have, for in that city we had to pay for everything before we received it. One day I started over to Camden, New Jersey, in search of work, but found none; from thence to New York, with no better success. Returning to Philadelphia, I enlisted in the United States navy, for land and sea service. As soon as I was sufficiently drilled, I was transferred to the Washington Navy Yard. Soon after I was sent on board the United States sloop-of-war Plymouth, then under the command of Captain John A. Dahlgreen. I had very hard usage on board ship, and after making a voyage I deserted while the Plymouth was at anchor at the Washington Navy Yard, after her cruise. My term of service was four years, of which I fulfilled about two years.

Some time after my desertion I went to Reading, and from thence, in company with John Taylor, I came to Juniata County, and stopped with Josiah Pearson, near McCoytown. Pearson and Taylor got me to go along with them to rob William Hart's spring-house. I did not go into the house, but merely looked on while the two former plundered the spring-house of the butter crocks. They carried them across the meadow to where I was standing, when Pearson gave me one of the crocks to carry. I was so drunk at the time, that on our return I fell and broke the vessel to pieces. Taylor took

his to Pearson's, and Mrs. Pearson got up out of bed and made the butter into a roll, and Taylor exchanged it for liquor. Mr. Hart afterwards got out a search warrant to find his butter crocks. He found one in Pearson's house, who swore that it was Taylor and myself that had stolen them, and that he knew nothing about them. Mr. Hart was about to arrest us, when we fled to Lycoming County, Pa., and remained there until fall, when I returned to Reading.

Shortly after my return to Reading I was married to Miss Harriet Wolf. I soon, however, removed to Lycoming County, and went to house-keeping. I lived happily with my wife through health and sickness. In the year 1860 I moved to Lancaster County, and in September of the same year again went to Reading to work. I boarded with my brother-in-law, Samuel Howder. He had an old grudge against me; but I knew nothing of it until I was incarcerated in the Juniata County Jail. Howder had written two notes of one hundred and twenty-five dollars each, purporting to be signed by Emanuel Shober, my wife's uncle, of Lancaster City, and wanted me to sell them and give him half the money. I knew Shober, and was afraid to undertake the commission of this crime; for he would have me arrested and sent to prison. I told Howder Shober's principles. Howder then told me that he would forge a check on the Farmer's Bank of Reading, and take some of old John Printz's (my grandfather) money, and that I would have to take it to the bank. I told Howder that I would have to see a friend of mine first, for I wanted to ask the advice of some person who knew more law than I did. Howder told me not to do it, for I might ask the wrong man—some one in whom I could put no confidence—a stranger—that might betray me. But I went on my way, and sought the advice of Michael P. Boyer, Esq. He told me to have nothing to do with that check, for it was the next thing to murder, in the eye of the law, if I was successful and found out. I then told Howder that I would have nothing to do with the passing of the check, when he pronounced me “a d—d coward, and afraid to do anything; he needed money very bad and so did I, and when he (Howder) got a plan to raise five hundred dollars I was afraid to run the risk to get it; that I could get it in the morning and leave the same day, and go down east or out west.” I told Howder that if it must be done, he should do it himself, for I would not. I asked Howder the reason why he could not execute the business as well as myself? His reply was “that he was longer in Reading than I was and better

known;" when the fact was that I was acquainted all over the town.

Howder then wanted me to go in with him in the manufacture of counterfeit coin. I endeavored to make a pair of moulds, but was unsuccessful, after having spent about twenty-five cents in the attempt. This enterprise I gave up. Shortly after this Howder and myself came to Juniata County. Before returning home, Howder coaxed at me to come to Juniata again and live, for I could do better here than any place else. I did so. After taking up my abode in this county, one evening Howder told me that he wanted me to assist him in robbing Samuel Strayer's store, in McAlisterville. He did his utmost to persuade me to commit that robbery; but I overcame him by my stubbornness. It was unnecessary for me to say much to Howder until he became angry, and would swear at me, and then say no more about it.

I wanted to go to Clinton County, Pa., and I told Mrs. Howder, my sister, of my purpose; but she dissuaded me out of my intention. I then went to work for Peter Varner, on Shade Mountain. We would go out on Sundays hunting for deer. The first Sunday we were out we killed one. I only spent two Sundays in this manner—on the last occasion Howder was along. After this I went to live with Jacob Swimler, and worked for him on the saw-mill some part of the time. I went once to Thompsontown, and at McAlister's store met Henry Zimmerman, who was also going to the same place. On the way going thither Zimmerman said that he wanted to procure the measure of the key-hole of Robert Thompson's iron safe, and also the lock of his office. I asked Zimmerman "What he wanted that for? it would do him no good." But he replied that he "would make skeleton keys and rob old Robert Thompson, and that this embraced most of his errand to Thompsontown." He then endeavored to prevail on me to assist him in the robbery; but I refused. Zimmerman said that he would open the office door and the iron safe, and all that he wanted me to do was to take the money out of the office, and then he (Zimmerman) would take the money off my hands, and go away and divide it with me. I asked him if he could not take the money as well as myself after opening the way to it? His answer was that he "did not like to steal from an old man!" I replied that I did not like to rob an old man either. Zimmerman allowed that I was the best man he could think of to do anything of this kind, for he thought that I could not be scared at all; that there was no fear in me; that

I was a bold man, and if I would see a man that would likely be a witness against us, I would knock his head off with a stone if I could do it. Zimmerman said that was the kind of a man for a robber.

I replied to Zimmerman that I would not do it then, for I was a great coward of men, in fear that some one was standing in the dark watching. He said that there was no one who would watch the premises, as he was well acquainted with Mr. Thompson. I replied, that I too was acquainted with him, since a boy, and that he (Zimmerman) could not prevail on me to help him rob old Robert Thompson; for he was kind to the poor, and that I did not believe that he ever sent a poor man away without, in some measure, supplying his wants. I knew of several cases, where poor men came to him, who had no money or grain, and he furnished them with the food necessary. This was in my boyhood days. I emphatically said that no Zimmerman could persuade me to rob such a man as this, for I did not believe it to be right, and so told Zimmerman. He replied, that it was not right to rob a poor man; but to rob a man like Mr. Thompson, he did not consider it any harm, to take some of his money, but not to rob him; that he would have to suffer for it. He continued that Mr. Thompson had plenty of property of which we could not take so much, that it would injure him. I told Zimmerman that Mr. Thompson might have a debt to pay, and if we would succeed in robbing him, we might be the cause of Mr. Thompson's breaking up, for merchants had debts at all times to pay; and when due they had to be paid on the day. Zimmerman replied, that we would only take part of the money, and leave the balance for Mr. Thompson. But I flatly refused to go along, or be a participant in the robbery of Mr. Thompson.

Zimmerman then asked me if I would go and rob anybody else? I answered no; that I could make an honest living without robbing good, kind, old men; I was yet a young man, and counted it a shame to commit robbery. Besides, I had a wife and two children, and all my feelings were averse to doing any disreputable act, which might bring disgrace upon my poor family; that I had respect for them, and that if he (Zimmerman) would look into the matter, he would never mention the subject of robbing any person to me again. But Zimmerman still persisted in his appeals to me to assist him in robbing Mr. Thompson. I then put this question to Zimmerman: "Are you not a church member?" He replied, "Yes; but I do not think it wrong to rob old Bob Thompson." I grew angry at

Zimmerman's pertinacity, and cursed him, and avowed that such church members as he was, ought to be in the lowermost regions of hell. That such members among the United Brethren as he was, ought to be few; that I had been one in my time, but had backslidden; but I did not go to the prayer-meeting and let on to be a Christian, by praying in public, as he had done in my sight and hearing, as I had frequently saw and heard him doing, pretending as though he was a Christian, or an angel just from heaven.

But notwithstanding all my earnest resistance to the pleadings of Zimmerman to engage in the robbery of Mr. Thompson, I had once almost acceded to his demands. Had I have given him my promise, I would have committed the deed; but I kept from making it, simply from the fact of being styled a robber, and the stigma it would bring upon my family. Had I been a single man, the strong probability is that I would have surrendered at will to the behests of Zimmerman. But when he found all his efforts abortive, he left the matter drop. Through this ordeal I escaped unscathed, only to fall into one more terrible, brutal and shocking in its results, through the same instruments, as the sequel of my narrative will fully show. Better, a thousand times better, I had committed the foregoing act, been found out, convicted and imprisoned for a term of years, than to have executed the atrocious crime of which I am now convicted, and for which I am soon to expiate, to satisfy the offended majesty of the law.

Zimmerman then employed me to assist him in getting out timber for a house, and also to help him frame it. Previously to this, Zimmerman had been experimenting upon the manufacture of counterfeit coin, and had nearly succeeded in his experiments, when he spoke to me on the subject, and asked me if I knew anything about it. I told him all I knew; but remarked that the preparation would not do yet; that I was acquainted with a man, who offered to sell me a receipt for making gold and silver, and Zimmerman, Howder and myself, raised the money to send and buy the receipts. I addressed a letter, with the money, to this person, and received the receipts. We then went hard at work to make a pair of moulds, and taxed our ingenuity in every form to accomplish our purpose; but we signally failed. We then raised all the money we could to send for moulds, for making five, ten, twenty-five, and fifty cent pieces, and also one dollar gold pieces, quarter and half eagles. I knew a man in Philadelphia, a steel-cutter by trade, who made moulds for the casting of coin. He

resided in Broad Street. I addressed this man a letter, requesting him to make the moulds, and as soon as he had them finished to let me know, and I would send him the money. He forwarded the moulds, by express, to Thompsonstown, to me. Zimmerman and myself soon had a good lot of bogus money coined. When we had entered fully into the nefarious business, Zimmerman intimated something of our doings to Joseph Beers, who informed Jacob Swimler, that Zimmerman and Lovering were about manufacturing counterfeit money. Mr. Swimler told me that he did not desire to see me get into trouble, if I could be kept out of it; that Zimmerman and myself would be closely watched from this time henceforward. The next morning I took all the coin that was in my possession, together with the files, the moulds and ladles, and buried them under the rocks on Shade Mountain, and left a mark so that I could find them again when all was quiet. They still remain there.

I divided some of the money with Zimmerman and Howder. We spent some of the money at both the stores in McAllisterville; and some in Salem, Thompsonstown, Richfield and Mifflintown. Just as far as we went, we spread the bogus money, and all the good money we received in change we closely held to. Of the counterfeit, we never kept much on hand, for fear of detection. It was several times refused when offered by Zimmerman and Howder, but never once with me. On one occasion I expected to have a half dollar thrown back upon me at Myers' store, in McAlisterville, but it passed inspection. Word then reached my ears that I was about to be arrested for manufacturing and passing counterfeit money; but I was not. However, I was soon prepared for any such contingency, by secreting the money. I informed Zimmerman of the fact, and he followed my example; and the latter notified Howder, and he secured his share.

This brings me to the history of that dark transaction perpetrated by me on the 9th of March last—the murder of Henry Auker. I will endeavor to sketch all the facts relating to its incipency, its culmination, and my arrest.

Henry Zimmerman and myself again began talking of robbery—and the victim to be Henry Auker this time. Which of us broached the subject first, I cannot positively say; but Zimmerman did all he could towards the plans to be executed, and induced me to talk to Samuel Howder upon the subject. I performed his request, and Howder allowed that “it was a d—d big undertaking to commit a robbery at Henry Auker’s.”

I then told Zimmerman of all that Howder said, when the former told me not to give it up, that I could persuade Howder to engage in the transaction; that I should not let Mrs. Zimmerman know anything of our intention, for if his wife would know them, she would tell every body in the country; that we would not dare make the effort, for Henry Auker's wife was Mrs. Zimmerman's aunt, and Auker and his father were first cousins, and therefore, they were relations; but that he would do everything in his power, notwithstanding, to accomplish the robbery. Every day we talked about the matter, until at last I consented to be one of the instruments for its consummation, if Zimmerman would go with me. But he objected, on the ground that he was bald-headed; that in case of his hat being accidentally knocked off, he would be known. I remarked that I was afraid to go alone, and that Howder would not go with me, and I did not know of another man in the county that I could trust but him. He was married to my sister, and I thought that he would say nothing about it, if I would ask him the second time. Zimmerman told me that he would give me a pistol, rifle, or anything that he had, with which to defend myself, in case of necessity. He told me that Auker had one thousand dollars, if not more, in his house, and of this he was sure; that he was well acquainted with Henry Auker, who would not trust a man, for he was afraid of losing a dollar. He also informed me that Auker kept his gun above the bedroom door, hanging upon hooks, and the money he kept in a chest in the same room, which was well locked; that he had a plan to open the chest without trouble; that he had a good sharp hatchet, and he would give it to me to open it; and that if I had to fight for the money, and miss my shot with the pistol, I could then make use of the hatchet, and do more execution with it than a six-shooter.

On the 9th day of March, 1861, I started from Henry Zimmerman's house to go to McAlisterville. Before leaving, however, Zimmerman told me that he had bought a recipe from Samuel Howder, and that I should tell him, or leave word at his house, that he, Zimmerman, wanted him, Howder, to bring the recipe out to him that day, for sure; that he could get Howder to go along with me to rob Mr. Auker. On reaching the village, I went to Bobbs' house; Howder lived in the same dwelling. I informed Mrs. Howder that Zimmerman wished her husband to bring him that recipe, which he had purchased of him that afternoon, yet, Mrs. Howder had been doing my washing that winter, because I was distant

from my home. She went up stairs to get me clean clothes, and I went up too. I told her that Zimmerman and myself had laid out a plan to get some money, since we dare not longer follow our counterfeiting operations. Mrs. Howder inquired of me the manner in which we were to raise the money. Before answering her inquiry, I asked her if she was "a true sister to me?" She replied, "I am a true sister to you, John, if ever there was one, in this world." I then said to her, "I want you to give me good advice," and then told her of our plans to rob Henry Auker that night, but Zimmerman would not go along. Mrs. Howder laughed and struck her hands together, and said, "Yes, go, John, and rob old Auker, for he is a stingy old bugger anyhow, and he has money plenty, for I know he has; and if Auker, the old stingy deal, won't give you his money, kill him for it, for I would kill a man, at any time, for five dollars!" She further continued, that she "would advise a man to do anything but to sell himself to the devil, for that there was no pardon with the Almighty; but for murder there was pardon, it mattered not how often one would commit the deed, there was still forgiveness with Him." I then remarked to Mrs. Howder that I would not go unless her husband, Samuel Howder, would go along with me. She said that if he would not go and assist in the execution of the act, "he was no man!" This is the good advice I received from my sister, Mrs. Howder! She went on further to say, by way of encouragement, that "if she was well, and Howder was not at home, she would dress herself in men's clothes, and go along with me in the perpetration of the deed; but the circumstance of not being well, and her husband at home deterred her from going. Before leaving, she said that she would tell Howder about taking the recipe out to Zimmerman's that afternoon yet. This conversation took place on Saturday morning, the 9th of March last, between the hours of 9 and 12 o'clock.

From my sister's house, I wended my way to that of Henry Zimmerman's. Soon after dinner Howder came there. Zimmerman and myself were up stairs; I was mending my boots at the time of his, Howder's, arrival. I had, however, told Zimmerman of the conversation I had with Mrs. Howder that morning, when he remarked, "Now I guess you will believe me to be right in this case." Soon after, Zimmerman and Howder went out into the woods and left me alone in the house. As soon as I had finished mending my boots, I went out to them. They were both seated on a log conversing, and when I ap-

proached them they ceased their conversation. There was a fire in the woods, occasioned by the burning of brush piles, and Zimmerman put the wood together, and I seated myself at the fire. Either Zimmerman or myself then introduced to Howder the subject of robbing Henry Auker that night. I think, however, it was myself that mentioned the matter to Howder, but he made me no answer. I asked Howder several times what he had to say; that he should either say yes or no; but that it did not matter which of the alternatives he choose. He looked at Zimmerman and replied, "that he would go if he, Zimmerman, would go along also." But Zimmerman said "he would go, but it didn't suit him on that night; that he was a member of the United Brethren Church; but rather than the robbery should not be committed, he would go along some other night; that he would give pistol or anything about his house that we needed; that if we wanted old clothes to disguise ourselves, he would furnish them, and we need not return them again; that he would do anything for us with the greatest pleasure to assist us in robbing Auker that night, and told Howder a dozen of times, if not more, that he had better go, as he would lose nothing by doing the deed now, for we were all poor men and Auker was rich." Then Howder asked Zimmerman "if Auker had money?" When the latter replied that "he would insure one thousand dollars in Auker's house, for he had sold a farm and also had threshed out his grain and took it to market, and received the money for it." He continued that "Auker was his wife's uncle; that he was well acquainted with him; that he did not put his money out at interest, like other farmers, because he was afraid he might lose a little of his money." Howder then asked him, Zimmerman, where "Auker kept his money?" Zimmerman replied "in the little back room where he slept."

But Howder had not yet given his positive assent to go, when I remarked to him that it took him a long time to give either an affirmative or negative answer. Zimmerman then said to him, "Sam, you will never rue it, if you will just say you will go, and I will tell my wife to get supper for you fellows before you start." Howder then gave his assent to be a companion in the deed, provided Zimmerman would go to McAlisterville, and tell his, Howder's, wife, that he would not be home until late, or it might be not at all that night; that he had gone to the mountain with Lovering, and then she would ask no questions, for that was no place to answer any. He also told Zimmerman that it was a big undertaking, and if

we were discovered, both Lovering and himself would be sent to the penitentiary for a long term of years. Then Zimmerman asked us, "that if, arrested and committed to jail, an opportunity offered, whether we would run off?" We both replied in the affirmative. Zimmerman then told us, that in case of our being placed in jail, we should not stay there one week, for he could open any lock in the Mifflin prison; that he would bring us saws at night, and then we could make our own way out, without further assistance from him. Howder and myself were in better hopes, and, under the promised assistance of Zimmerman, if found out and incarcerated, we expected to escape a trial at court, by breaking jail.

We then returned to Zimmerman's house, when he went up stairs and brought down his hatchet and put it on a little shelf under the roof, where he kept his axe and other things. He showed me where he had placed it, and said I had better take it along, that perhaps I might need it before I would come back; that each of us should cut a good club, before we entered Auker's house, and that we should look on the porch for an axe, and to put it near us, so that, in case any person should happen to come upon us, we could use it. But he said there was no danger of any one being there; however, it was best to make every preparation to meet emergencies. He said to us that we should do just as he had told us, and then we would do right, for he knew much about such things as robbery, and had seen and conversed with some old hands that had robbed many a man, and we should follow his advice in the matter. He told me to take his pistol, which was in a hunting pouch behind the door in his house, together with powder and caps, and I should take the ammunition along. He gave me about half a dozen balls for the pistol, they were rifle balls. Howder and myself then took supper, after which, Zimmerman gave me several burnt corks, which were intended to blacken our faces and hands, before entering the residence of Mr. Auker. Zimmerman said that Howder should blacken me, and I him, and that on the hill was the best place to do it, in the lane that leads off to the brick house, we should fix ourselves up for the commission of the robbery, and should follow what he had said. He remarked further, that if he was going to do the robbery, he would set fire to the barn, and burn it off, and while it was in flames, he would do the robbing while the rest were attending to it, and be away before Auker knew that he was plundered."

Howder and myself then started, armed with the pistol and

hatchet, when Zimmerman called to us to hold on, and said to us, "Boys don't kill; but if you do *kill*, kill all hands and set fire to the house! Then the report will go out that Henry Auker's house took fire, and all perished in the flames while they slumbered and slept. No one will ever suspect that he was murdered, or had been robbed, and the house set on fire to hide the crime that had been done." After this counsel from Zimmerman, we went on our way to the place where we were to enact a tragedy which costs me my life.

We left Zimmerman's house about sun-set, went past Peter Graybill's house, and kept the road down to the woods, on this side of R. W. Jamison's, which we entered and came out on the other road at Hutchison McAlister's. We then followed this road to where it connects with the Mifflin and Selinsgrove road, which we followed in an easterly direction for a short distance, when a man on horseback approached us from behind. On seeing him, we crossed the fence into a field and travelled in a southwest direction, again taking to the woods, and of course the direction towards Auker's. We kept the west side of the Cocalamus Creek to the fording below Stitzer's Mill, and there crossed over. It was then dark. We heard some person coming down the road, when we ran in an opposite direction as rapidly as we could, so that we could not be seen by him. About a mile from this we heard some men approaching us from the direction in which we were going. I said to Howder that we had better get over the fence, and lay down on the ground until these persons were past, for they might know us. He replied that it was none of their business where we were going, and that he would not go out of the road for them nor anybody else. I said if he would risk it I would. There were three of them in company when we met them, I had my hat drawn down over my face as much as I could, and did not speak a word that they could hear. After passing these men, one of them asked of the others, "Who are these men?" Howder said there was no danger in those men, for they don't know either of us. This was about two miles from Auker's. When we were at the forks of the road this side of Coal Spring School House, we were, I think, again seen; but after that we were not seen until we entered Henry Auker's house.

Before we entered the house we went past and looked in at the south window. We stood at the west gable end for some time. Towards the last we made the effort to go into the house, but the dog seemed to surmise our errand, and was not willing to let us effect an entrance. Howder, however, took

the lead, and knocked at the door, which was fastened, and told me when they would open the door that I should bolt in and he would follow me. Howder again rapped at the door, when it was opened by Miss Anna McElroy, granddaughter of Mr. Auker, and I bolted in, followed by Howder. I went after the little girl, through the kitchen, into the sitting-room, and sat down on a wood-chest behind the stove, at the door of the bed-room, where Mr. Auker was resting himself on a bed, and Howder seated himself at the stove hearth on a chair, at the kitchen door. I then asked the little girl if "there was no person else in the house but herself?" She replied that "grandpa and Nancy was all." I looked around and inquired "Where are they?" She answered "that grandpa was in the back room in bed, and Nancy was up stairs in bed." Mr. Auker then asked us if "we wanted anything?" I mused a little while, waiting for Howder to answer, when I replied "yes." Mr. Auker then arose from his warm bed, and came out into the sitting-room, bidding us both the time of night, and seated himself in his arm-chair beneath the clock. It was then just twenty-five minutes of eight o'clock. He remarked that he "went to bed early," and I replied "yes, I see you do." I gazed upon Mr. Auker; but I had not the courage to inform him of the object of our visit, and had made up my mind to go out and go home. I cast my eyes towards Howder, and he made motions, by nodding his head, for me to break the unwelcome intelligence to Mr. Auker. Finally I took courage, placed myself upon the floor in front of Mr. Auker, cocked my pistol, and said, "Well, old man, we have come after your money! and now we want it!" He placed his hands over his face, and all the reply he made was a groan. In this position he remained about two minutes, and then said that "there was not ten dollars in the house." I then told him that we wanted what was there, when Auker said, "Well, we'll see," and got up and went past me. I turned to Howder, and said "partner, bring that light." He arose and stood at the door. Mr. Auker on gaining the inside of the bed-room door reached up in a hurried manner and took down his gun and pointed it at me. I presented my pistol, but it missed fire the first time, and I had to be very quick to get the first shot, for Auker handled himself very supple. I had not much time to spare. I fired the second time, the shot taking effect in his arm, which caused him to stagger back on the bed. I am not positive whether he went on the bed or against it. This made him fight all the harder, and he came at me like a savage man, and his

gun almost at his cheek, and pointed at my breast, when I made one step forward and grasped it in one hand and held the muzzle away from me, and looked around for Howder, but he had gone out of the house and closed the door leading into the kitchen after him. I then drew the hatchet out from under my coat, and struck Auker on the head, just to knock him down. He fell very heavy, like a dead man, and not as a person merely knocked down; he snuk to the floor like a child that had no strength as yet in its limbs. This is the way Henry Auker fell, and this is what frightened me so. I only struck him one blow with the hatchet.

As soon as I had accomplished the terrible work of death, I immediately turned around and ran past the little girl, who had all this time remained seated, and who never uttered a word or manifested the least sign of emotion at the tragic occurrence. With pistol in one hand and hatchet in the other, I had considerable difficulty in opening the door leading into the kitchen, for I was very much alarmed and excited at the deed I had perpetrated. However, I reached the outside of the house, and called out "Sam, where are you?" when the dog jumped at my face, I pushed him away and drew the hatchet to strike the animal; but when I spoke to him, he went away. Howder then came to me, and I said "my God, let us go as fast as we can." Howder had left the back door open. We took the road leading up the hill westward. We both ran our best until we had gained the woods, and after entering some distance therein, I stopped and loaded the pistol. Howder carried the hatchet on the road home. We kept the summit of the hill until we reached old Mr. Wellers, when we struck down to the north side of the hill into the road, which we followed to the Cocalamus Creek, a little below Crater's saw-mill dam. When we reached there the water made so much noise that we could not hear, and see we could not, it was so very dark. Howder said to me, "John, let us run until we get away from this terrible noise, for there is danger here—we can neither see nor hear—and we must go as fast as we can, for fear they might go to McAlisterville for the doctor." We kept the public road all the way, and it was yet so early that there was light at every house. At Harrison McAlister's store there was light, and we could hear persons talking in there when we passed by, which was done very stealthily and quiet.

We then proceeded up to the woods between McAlister's store and Good Will Church, where we met a man walking. I thought, and so expressed it to Howder, that man suspicious

us of some bad act this night. He desired to know "how that man had found it out on us." I replied that we both showed guilt plain, for neither of us could give a correct explanation of where we had been, and what our errand was at that time of night in that particular direction, to prove that we were not guilty of the murder of Henry Auker, and they would certainly establish by the little girl that we were the men who perpetrated the crime. Howder then asked me "why I did not kill the little girl?" I replied that she was too good a soldier; that she never opened her mouth; that I had not the conscience nor heart to do the deed, and that she exhibited more true courage than he did, for he ran out, while she sat still a witness of the fearful work in process of execution. Howder said that he had saved her life by running out, for if he had remained he would have killed her himself.

We proceeded on together until we reached Christian Shallenberger's barn, where I took a seat on the fence, and held a conversation with Howder for about an hour. I there told Howder that if ever we were arrested, he should plead innocent, and I would do the same; that neither of us should turn state's evidence, nor make a confession before court; and that there was only one witness that could do us any harm, and that was the little girl, and she might be talked out of it. Howder said there was no danger of him telling anything, when I remarked to him, that I did expect we would be arrested on suspicion, and if he would only keep quiet, I would, and they would have to prove that we murdered Henry Auker, before they could punish us for it. Howder went home to McAlisterville that night, and I went to Henry Zimmerman's. When I came there, Zimmerman was not at home, and his wife arose out of bed and let me in, and told me that I would find a light on the bureau in the room, which I got, and went up stairs to bed. Zimmerman was in McAlisterville informing Mrs. Howder that her husband would not be home until late, or probably, not at all, that night, as before mentioned, according to Howder's wish. I did not hear Zimmerman come home. The feelings of mind that I possessed that night it is impossible for me to describe, for I never experienced anything like them before in my life. I did not sleep much, but lay in great trepidation of being arrested.

In the morning when I arose from my uneasy bed, Zimmerman came into the kitchen with a basin of water for me to wash myself, an act which he had never done before that Sunday morning. The reason of this was that he supposed I had

blackened myself with the burnt cork that he had given me, and he did not want his wife to see me in that condition. But I could not blacken myself with the cork, for I did not understand the method of doing it, and could not get it to produce the desired effect. After breakfast, Zimmerman and myself went out into the woods, where he was about to build his house, when he asked me how we had made out the past night. I told him that I thought I had killed Henry Anker; that Howder had become frightened and run out of the house; that I had shot Anker and afterwards struck him with the hatchet; when I too ran out of the house, leaving Anker lying in a ridiculous position, and the little girl learning her lesson at the table. Zimmerman asked me if I had not murdered the little girl too. I replied that I had not injured her. Zimmerman remarked that I should have killed all hands, took the money, and then set fire to the house, and the report would have gone forth that Anker's house had took fire, and all had perished in the flames, while in their sleep. I told him that I was sorry for what I had done last night, when he said that he was only sorry that we did not hunt for the money, for we might as well had that as not. I then said to Zimmerman, that if I only knew whether I had killed Anker for a certainty, I would be over the mountain as soon as I could get off. That I would run as far as I could; that I would go to sea right off, and to a foreign country. Zimmerman said I should keep the pistol, powder-flask, and cap-box; and that I should let no one man take me. If any one person should attempt to arrest me, I should shoot him, and make good shot, if by so doing I could escape, and save myself from the broken law of my country. He further remarked, that if I would tell of anything he had to do with this murder, that he had a good rifle hanging in his house, and he would put a ball through my heart the first opportunity he could get. He said that I knew what kind of a marksman he was with a pistol, and with his rifle he was much better. I replied to him that if he would act the man now, there was no danger in me mentioning a word; but that if I was imprisoned he would have to come and see me, and bring me a good iron saw; and if he would help me out of jail, and I should again be arrested and brought back, I would die first before I would utter anything implicating him in the murder of Henry Anker. Zimmerman then promised me that I should not remain in the Mifflin jail two weeks, until he would bring me, at night, a saw. I told him that he would be in no danger at all, for he could prove himself clear before the justice of the peace, and under

such circumstances they dare not send him to prison. Zimmerman then gave me two twenty-five cent pieces, so that in case I had to make my escape, I would have some money. This, he said, was all he could spare at that time.

After this interview with Zimmerman, I started for Peter Varner's, in the gap of the Shade Mountain, near Samuel Gayman's saw-mill. On the way, I was very much afraid that I would be seen by some person, and my fears induced me to cross the fields, so that I would not have to pass a house. After I reached the woods and entered therein some distance, I gazed in every direction to see if any one was near me. I was in great study of mind whether I should leave that morning or wait until Monday morning. I sat down on a log and thought over the crime I had committed last night. At times I would jump up and start off almost on a run, with the intention of making my escape; but after going a few steps I would set down, look all around, in fear that my conduct was observed by some one. I thought any person could see the guilty hand with which I had committed the murder, and I carefully examined my clothes to see if there were any traces of blood upon them; but I could find none. I pulled off my coat and hat with the same view, but no indications of blood were to be found.

I then made up my mind to go to Peter Varner's and remain there until evening, when I would, that night, escape across the mountain and get beyond the scene of the murder. On Monday night my intention was to cross Jack's Mountain and make my way to the Alleghanies. While I was at Varner's I made considerable sport, so that he would have no suspicion that I was a murderer. When evening came, I began to be very uneasy, and I wanted to leave, but Varner and his wife insisted upon my remaining all night, that I could go to Zimmerman's the next morning. I could not think of staying, neither could I think of leaving, for I had forty miles of travel ahead of me, which I intended to perform that night. Oh! what an unhappy wretch was I that evening. The remembrance of my poor wife and children, in Lancaster County, flitted across my brain, and to go away and leave them was more than my nature could endure; and I concluded to remain at Varner's that night. I knew, however, that I could not sleep; that if any person should come up through the Narrows, the dog would give notice of the approach. Varner took down his violin and commenced playing upon it, and I did not hear the dog barking at first. The first note of warning he gave was

at the door, when I heard persons walking round the outside of the house. I remained seated behind the stove when some one called for Peter Varner. As he went out I told him if I was inquired for, that he should say that I was not there. He said he would, when some one of the family told me to get under the bed, which I did. The constable, John Kenawell, came into the room where I was concealed, looked under the bed and saw me, from beneath which I came out with my own accord. The officer then took the pistol and a small pocket-knife from me and tied me. There were eight or ten persons with the constable, and he deputized Varner to assist in taking me to the justice's office, in McAlisterville. Some of the men were armed with single barrel pistols to six shooters, and others with double-barrelled shot guns and old muskets, with which to take me or scare me to death! They had Zimmerman arrested first and he proved himself clear, and swore that he knew nothing about the murder of Henry Auker. Howder could not prove clearly his whereabouts on that evening; but nothing was adduced against him to show his complicity with the murder, for the little girl could not identify him as one of the party. I was then taken into the justice's office, and she said that I looked like the man that had killed her grandfather, only I had no hair on my face, and the murderer had black whiskers all over his face. But I had been shaved on Sunday morning, by Varner, so that she would not know me. She remarked that I had a voice just like the murderer who was at her grandfather's house on Saturday. I could not give any clear statement of where I had been on that evening, and I was therefore charged with being the murderer, and as Howder was in the same predicament, he was to be sent to prison with me. Howder then turned State's evidence, and made a confession, under oath, and swore that Zimmerman had nothing to do with the murder; that he never said anything to him about the commission of the deed; that he was guiltless of the murder; that I had coaxed him to go along to rob Auker, and that I had killed him. He also said that I swore to him that if he would tell anything on me, I would kill him. This remark I never made to Howder in my life, and I never persuaded him either to go along to rob or kill Anker, which he swore to, for it was Henry Zimmerman that induced him to accompany me in the expedition. I had denied that I was at or near Henry Auker's on the evening of the 9th of March.

After Howder had made this confession, I told some things which I should not have divulged, for the persons who heard

my remarks made them worse than they really were. Madison Sharon was the only one, among them all, that testified to the truth of what I had said on the morning when I was brought to jail. After we were imprisoned, Howder said that he did not wish me to be offended at him, for putting all the blame on me, for after Zimmerman had clearly and satisfactorily shown his whereabouts on that evening, and had sworn that he knew nothing of the murder of Auker, he thought that Zimmerman ought to go clear. He also remarked that when officer Kena-well took him prisoner, he told him that he should leave Zimmerman go clear. After Howder swore to all these falsehoods, and telling besides what I had done, it caused the people to have great indignation and hatred towards me, and large sympathy for Howder; but he (H.) would not tell what he had done. He asked me to state in court that "he had nothing to do with the murder, and that I wanted him cleared." When I refused to do this, Howder and his wife were "down" on me, and done all in their power they could against me. Mrs. Howder said to her husband, in my presence, in jail, "Oh, Sam, if you only get clear, and they only hang Lovering!"

Mrs. Howder was to be a witness against Zimmerman after we had him arrested. The reason we had him arrested was that he had been talking hard against me, and did not fulfil his promise to help me out of jail. After Mrs. Howder had given in her testimony against Zimmerman before the grand jury, she came into the jail to see me, when she said that she had sworn that she knew nothing about the murder until Zimmerman came to McAlisterville, and informed her that Howder and myself had gone to rob Auker, and that I should swear to the same; for it was better to swear to a lie than to the truth, and get her into trouble. She knew that I was to be a witness on the part of the commonwealth against Zimmerman, and she was uneasy lest I should tell on her, when I would give in my testimony before court. I did testify that she had a hand in this murder, and she swore that I had testified to things that were not so; but the Lord knows better than that, and so do I, for she will have to acknowledge it before her God hereafter, if she does not do it in this world.

But when Howder and myself reached Auker's premises, and after we had entered his dwelling, I had not the least intention of murdering him—all I wanted was his money. My object in going so early in the evening was that we might not disturb the old man of his night's rest. I told Howder when we were approaching the house that I would not kill Mr.

Auker on any conditions, that I thought we could get the money without resorting to such an extreme method, and before doing so I would do without the money. But when Auker took the gun down, I can scarcely explain what my feelings were, and when he pointed it at me I was then for shooting, and did act under the impressions of the moment, and I think any person, under similar circumstances, would have done the same thing. If I had not fired upon the old man I would have lost my life. Better I had fallen under his fire then, than to have saved my life to lose it in a more ignominious manner.

At my trial there was no mercy or favor shown to me ; but great sympathy expressed for Howder and Zimmerman, and they both had their lives prolonged, by imprisonment in the penitentiary, while I with mine have to pay the extreme penalty of the law. They were not a whit better than I am, for one is as deeply stained with the murder of Henry Auker as the other, as well as Mrs. Howder. She has not been arrested, and will not be, I suppose, and it seems to me so hard that I must be executed while the rest of the crew have a hope of once more enjoying their liberty and freedom. I desire my freedom as much as Mrs. Howder desires hers. But I am resigned to pay the penalty of a broken and insulted law, and were it not for my poor wife and two children, I would the more willingly bow to the stern decree of justice, than be restored to the society of men, for I have had nothing but trouble all my life. Sorrow after sorrow, time after time, has been the portion of my cup, which has culminated in giving me a felon's doom!

Until after I was seven years old, I never enjoyed good health six months at a time. At that period of life I had a severe attack of typhoid fever, which so seriously impaired my mind, that when troubled I was almost insane. My relatives caused me many a sorrowful heart, by not giving me my just rights which were lawfully due me. My sisters were the cause of me sinning against my Maker, and Mrs. Howder and Henry Zimmerman were the coadjutors in bringing me to the scaffold. But I hope and pray that she may repent before it is too late, for she has many sins to answer for.

But the older I grew the more difficulties and temptations I encountered. When I resided in Philadelphia, I roomed with a burglar, at McCormick's, on Front and Lombard Streets, who wanted me to go in with him and several others, and form a band of robbers and pickpockets, but I refused to be one of the party.

I had always possessed a weak mind, and was easily persuaded into any measure. Being uneducated, I knew nothing of law, and did not know that there were degrees of murder until my trial in court. But I am heartily sorry and repentant at the enormity of the offence I have committed, and which I am so soon to atone for. Equally do I regret the shame and disgrace I have brought upon my poor family, for I know that, in after years, some unfeeling heart will cast up to my children, a father's shame and a father's crime. But what can they help for their parent's transgressions, while they were yet in helpless infancy? or how can my wife be accountable, when she was ignorant of my crime? I am aware that, after all that is mortal of John E. Lovering has passed into the unseen world, she will bear the reproaches of her relatives for the obloquy of his crime.

This is the first and only murder that I have ever committed, nor have I ever committed any other crime than those which are recorded in these pages. In all cases (except forging the order on Tyson), I have been persuaded to go along with other men in the commission of crime, or would be under the influence of liquor. I am charged with the murder of a young lady in Berk's County, who was subsequently found in the Schuylkill River; with the murder of a man whose skeleton was found on Black Log Mountain, in Tuscarora Valley; with selling my own urine for medical drops; and with firing the store of John McMinn, at Van Wert, in this county. In answer to the charges, I will answer them candidly:—

1. At the time of the murder, I was on board the U. S. sloop-of-war Plymouth.

2. I was never in Tuscarora Valley but once, and that was the time that I was a companion in robbing Hart's spring-house.

3. This is an unmitigated falsehood.

4. I was at Jeremiah Meixell's, in Lycoming County, when Mr. McMinn's store was burned.

Of all these crimes, charged outside of my admitted transgressions, I call upon God, before whom I shall soon appear, to witness my innocence. I have been guilty of none other than are recorded in these pages, and this is a full unreserved confession of my life and my crimes. After I have passed from this sphere of action, let the mantle of charity be thrown over the faults of my ill-spent life.

I cannot close this narrative of my life, without paying my testimony to George Reynolds, Esq., Sheriff of Juniata Co.,

who has uniformly manifested towards me the utmost kindness and generosity of heart. Also to Mrs. McWilliams, my keeper, who has bestowed upon me the very best of usage, and has ministered to all my wants in such manner, as to considerably alleviate the loneliness of my cell, and the doom which awaits me.

MIFFLINTOWN JAIL,
January 3, 1862.

THE foregoing Confession was written by me, and transcribed by Mr. A. J. Greer at my request; and I do hereby authorize its publication by him. No other confession will be made by me.

JOHN E. LOVERING.